



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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**State Water Resources Control Board**  
Division of Drinking Water

March 2, 2015  
Certified Mail/Return  
7012 3460 0003 1113 1694

Durham Irrigation District  
9367 Holland St.  
Durham, CA 95958

Attention: Nick Gore, Board Member

**Subject: Public Water System No. 0410003 – Citation No. 21-15C-015 for Lead and Copper Rule monitoring violation.**

It has come to our attention that the Durham Irrigation District water system failed to monitor and report lead and copper samples in the year 2012, according to the Lead and Copper Rule (LCR). Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) to the water system. The enclosed Citation includes directives for corrective action and public notification.

Section 116577 of the California Safe Drinking Water Act provides for the division to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. The billing rate is approximately \$128 per hour. At this time, we have spent approximately one hour preparing this violation. You will receive a bill for these costs, typically by September 1<sup>st</sup>, from the Sacramento office.

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

1 **Citation No. 21-15C-015**

2  
3 **STATE WATER RESOURCES CONTROL BOARD**

4 **DIVISION OF DRINKING WATER**

5  
6 **Public Water System:** Durham Irrigation District

7 **Water System No.:** 0410003

8  
9 **To:** Durham Irrigation District  
10 Attn: Nick Gore, Board Member  
11 9367 Holland St.  
12 Durham, CA 95958

13  
14 **Issued:** February 25, 2015  
15 VIA CERTIFIED MAIL  
16

17  
18 **CITATION FOR NONCOMPLIANCE**

19 **With Title 22 California Code of Regulations**

20 **Sections 64675**

21  
22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the  
23 issuance of a citation for failure to comply with a requirement of the California Safe  
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with  
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.  
26



1 The State Water Resources Control Board (hereinafter "Board"), acting by and  
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director  
3 for the Division, hereby issues a citation to Durham Irrigation District for failure to  
4 comply with Section 64426.1(b), Title 22, of the California Code of Regulations (CCR).

5  
6 **APPLICABLE AUTHORITIES**

7 Section 116650 of the CHSC states:

8  
9 *(a) If the department determines that a public water system is in violation*  
10 *of this chapter or any regulation, permit, standard, citation, or order*  
11 *issued or adopted thereunder, the department may issue a citation to*  
12 *the public water system. The citation shall be served upon the public*  
13 *water system personally or by certified mail. Service shall be deemed*  
14 *effective as of the date of personal service or the date of receipt of*  
15 *the certified mail. If a person to whom a citation is directed refuses to*  
16 *accept delivery of the certified mail, the date of service shall be*  
17 *deemed to be the date of mailing.*

18  
19 *(b) Each citation shall be in writing and shall describe the nature of the*  
20 *violation or violations, including a reference to the statutory provision,*  
21 *standard, order, citation, permit, or regulation alleged to have been*  
22 *violated.*

23  
24 *(c) A citation may specify a date for elimination or correction of the*  
25 *condition constituting the violation.*  
26



1 (d) A citation may include the assessment of a penalty as specified in  
2 subdivision (e).

3  
4 (e) The department may assess a penalty in an amount not to exceed  
5 one thousand dollars (\$1,000) per day for each day that a violation  
6 occurred, and for each day that a violation continues to occur. A  
7 separate penalty may be assessed for each violation.  
8  
9

10 Section 64675.5, Title 22, of the CCR states in relevant part:  
11

12 (a) A system shall conduct standard tap sampling for two  
13 consecutive periods; thereafter, tap sampling frequency may be  
14 reduced pursuant to section 64675 (General Requirements for  
15 Tap Sampling for Lead and Copper) as follows:  
16

17 (1) If a system has 90th percentile levels that do not exceed  
18 0.005 mg/L for lead and 0.65 mg/L for copper for two  
19 consecutive periods, it may reduce the sampling to once every  
20 three years at the reduced number of sites.  
21  
22

23 Section 64690.1, Title 22, of the CCR states in relevant part:  
24

25 Each system shall report the following within the first 10 days after the end of  
26 each period during which such sampling or monitoring was conducted:

1  
2 (a) *For lead and copper tap sampling:*

3 (1) *The results of all tap samples including the location of each*  
4 *site and the associated tier criteria from section 64676*  
5 *(Sample Site Selection);*

6  
7 (2) *The 90th percentile lead and copper concentrations calculated*  
8 *pursuant to section 64678 (Determination of Exceedances of*  
9 *Lead and Copper Action Levels); and*

10  
11 (3) *With the exception of the first period of tap sampling, an*  
12 *identification of any site that was not sampled during previous*  
13 *periods, along with an explanation of why the sampling site*  
14 *was changed;*

15  
16 **STATEMENT OF FACTS**

17 The Durham Irrigation District (Water System) is classified as a community water  
18 system serving approximately 1558 people. Because the Water System meets a  
19 reduced lead and copper sampling frequency, it is required to collect ten (10) lead and  
20 copper samples every three years according to Table 64675-A and section 64675.5 of  
21 Title 22. The Water System failed to collect lead and copper samples at the end of  
22 the triennial period in 2012. The last samples submitted to the Department were taken  
23 in June of 2009.

1 **DETERMINATIONS**

2 The Department has determined that the Water System violated Section  
3 64675.5(a)(1) and Section 64690.1, Title 22, of the CCR, in that the Water System  
4 failed to collect and report triennial samples in 2012.

5  
6 **DIRECTIVES**

7 The Water System is hereby directed to take the following actions:

- 8
- 9 1. Comply with Section 64675.5, Title 22, of the CCR in all future monitoring  
10 periods.
- 11
- 12 2. **Conduct lead and copper monitoring from customer's taps in June,**  
13 **July, August, or September of 2015, 2016, and 2018. Thereafter,**  
14 **sampling may resume to triennial.** Samples shall be collected in  
15 accordance with the Lead and Copper Rule Sampling per Title 22, Section  
16 64677. The analytical results must be reported to the Department by the  
17 10<sup>th</sup> day of the month following the month in which the analysis was  
18 completed.
- 19
- 20
- 21 3. The Water System shall provide public notification (by inclusion in the **2014**  
22 **Consumer Confidence Report**) of the failure to sample lead and copper,  
23 as required by the Lead and Copper regulations.
- 24
- 25

26 All documents required by this Citation to be submitted to the Department shall be  
27 submitted to the following address:

1  
2 Reese B. Crenshaw, P. E.  
3 Valley District Engineer  
4 Drinking Water Field Operations  
5 Division of Drinking Water  
6 State Water Resources Control Board  
7 364 Knollcrest Drive, Suite 101  
8 Redding, CA 96002  
9 (530) 224-4800  
10

11 Nothing in this Citation relieves the Water System of its obligation to meet the  
12 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California  
13 Safe Drinking Water Act), or any regulation, permit, standard or order issued or  
14 adopted thereunder.  
15

16 The Division reserves the right to make such modifications to this Citation, as it may  
17 deem necessary to protect public health and safety. Such modifications may be  
18 issued as amendments to this Citation and shall be effective upon issuance.  
19

20 **FURTHER ENFORCEMENT ACTION**

21 The California SDWA authorizes the Board to: issue citation with assessment of  
22 administrative penalties to a public water system for violation or continued violation of  
23 the requirements of the California SDWA or any permit, regulation, permit or order  
24 issued or adopted thereunder including, but not limited to, failure to correct a violation  
25 identified in a citation or compliance order. The California SDWA also authorizes the  
26 Board to take action to suspend or revoke a permit that has been issued to a public  
27 water system if the system has violated applicable law or regulations or has failed to

1 comply with an order of the Board; and to petition the superior court to take various  
2 enforcement measures against a public water system that has failed to comply with  
3 violates an order of the Board. The Board does not waive any further enforcement  
4 action by issuance of this citation.

5  
6 **PARTIES BOUND**

7 This Citation shall apply to and be binding upon the Water System, its officers,  
8 directors, agents, employees, contractors, successors, and assignees.

9  
10 **SEVERABILITY**

11 The directives of this Citation are severable, and the Water System shall comply with  
12 each and every provision thereof notwithstanding the effectiveness of any other  
13 provision.

14  
15 The directives of this Citation are severable, and the District shall comply with each  
16 and every provision thereof notwithstanding the effectiveness of any other provision.

17  
18  
19 

20 Reese B. Crenshaw, P.E., District Engineer  
21 Valley District  
22 Drinking Water Field Operations Branch

3/2/15

Date

